BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)	
)	
Request of EchoStar Satellite Corporation for)	RM-10767
Amendment of the Commission's Rules to)	
Redesignate the 28.6-29.1 GHz (Earth-to-space))	
and 18.8-19.3 GHz (space-to-Earth) Bands to Allow)	
Geostationary Fixed-Satellite Service Operations)	
on a Co-Primary Basis)	

To: The Commission

REPLY COMMENTS OF NORTHROP GRUMMAN SPACE AND MISSION SYSTEMS CORPORATION

Northrop Grumman Space and Mission Systems Corporation ("Northrop Grumman"), by its attorneys and pursuant to Section 1.405 of the Commission's Rules, 47 C.F.R. § 1.405, hereby replies to the comments that were filed by SES Americom, Inc. ("SES Americom") and Hughes Electronics Corporation/Hughes Network Systems, Inc. (collectively, "Hughes") in response to EchoStar Satellite Corporation's ("EchoStar") above-captioned petition for the initiation of a new rulemaking proceeding. Both SES Americom and Hughes support the EchoStar Petition, while Northrop Grumman opposes the EchoStar's proposal to change the Commission's rules and policies by removing the preclusion against the use of the 18.8-19.3 GHz (space-to-Earth) and 28.6-29.1 GHz (Earth-to-space) bands by geostationary satellite orbit ("GSO") satellites in the fixed-satellite service ("FSS") on a primary or co-primary basis.

In its Comments, Northrop Grumman detailed the policy and technical reasons why the Commission's well-reasoned decision to establish a dedicated 2 x 500 MHz section of the FSS spectrum at 20/30 GHz for use by non-geostationary satellite orbit ("non-GSO") FSS systems was correct in 1996, and why it remains correct today. *See* Comments of Northrop Grumman, RM 10767, at 8-14 (filed October 27, 2003). SES Americom essentially rubber stamps the EchoStar proposal. *See*

SES Americom Comments, RM-10767, at 2-5 (filed Oct. 27, 2003). Hughes too endorses the EchoStar proposal without substantive elaboration, and calls upon the Commission to develop a record on the feasibility of GSO FSS co-primary use of the two bands that are now limited to primary non-GSO FSS use. *See* Hughes Comments, RM-10767, at 2-3 (filed Oct. 27, 2003).

Like EchoStar, neither SES Americom nor Hughes offers anything that even tends to show that co-primary operation of non-GSO FSS systems and GSO FSS networks in the 18.8-19.3 GHz and 28.6-29.1 GHz bands is feasible. In its Comments, by contrast, Northrop Grumman explained that the necessary studies have been done, and that the answer is not conducive to co-primary use of the bands for most types of non-GSO FSS systems. *Id.* at 13-14, 15-17. Moreover, neither SES Americom not Hughes even attempts to overcomes EchoStar's fatal failure to show either that the 2 x 1,000 MHz segments of primary GSO FSS spectrum at Ka-band is insufficient or that there is a shortage of orbital locations from which GSO FSS networks can serve the United States.

In short, the Comments of SES Americom and Hughes do not alter the conclusion advocated by Northrop Grumman that EchoStar's above-captioned Petition must be denied.

Respectfully submitted,

NORTHROP GRUMMAN SPACE AND MISSION SYSTEMS CORPORATION

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November 12, 2003

Its Attorneys

CERTIFICATE OF SERVICE

I, Rochelle D. Johnson, do hereby certify that on this 12th day of November, 2003, I sent by U.S. first-class, postage prepaid mail, a copy of the foregoing Comments of Northrop Grumman Space and Mission Systems Corporation to the following:

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